

**BEFORE THE ENVIRONMENT COURT
AT CHRISTCHURCH**

**I MUA I TE KŌTI TAIAO O AOTEAROA
KI ŌTAUTAHI**

IN THE MATTER of the Resource Management Act 1991
AND of a notice of motion under section 149T(2)
to decide proposed Plan Change 7 to the
Regional Plan: Water for Otago (referred to
the Environment Court by the Minister for the
Environment under section 142(2)(b) of the
Act)
OTAGO REGIONAL COUNCIL
(ENV-2020-CHC-127)
Applicant

**MINUTE OF THE ENVIRONMENT COURT
PLAN CHANGE 7
Filing of Supplementary Evidence**

(26 January 2021)

[1] At the request of the Otago Water Resources User Group, the Otago Regional Council has agreed to file supplementary evidence providing certain documents/data.¹

[2] The relevance of the documents to the determination of the plan change has yet to be established. Further, I note that the Otago Regional Council considers that it has complied with the directions of the court as to the production of evidence.²

[3] It occurs to me that the request made is in the nature of an order for discovery rather than an application to file supplementary evidence, and as such should have been advanced months ago.



¹ Joint memorandum of counsel dated 25 January 2021.

² Specifically, the Minute – General Directions on Plan Change 7 dated 28 October 2020.

[4] Given that the Otago Regional Council does not object to producing the documents, the documents can be filed in advance as part of a common bundle of documents.

[5] Any party may object to the inclusion of the documents in the common bundle. Subject to the resolution of any objection as to admissibility, a document will be automatically received into evidence when a witness refers to it in evidence or when counsel refers to it in submissions (made otherwise than in a closing address).

[6] I will make directions that any person objecting to the inclusion of any of the documents in the common bundle, is to advise the court one week prior to the commencement of the hearing. The determination of objections (if filed) will likely occur once all the evidence has been heard.

Directions

[7] I direct:

- (a) in accordance with the dates set out in counsels' joint memorandum, the documents are to be filed in the court for inclusion in a common bundle of documents;
- (b) any party objecting to the admissibility of a document is to file a memorandum with the court by **Friday 26 February 2021**.

Jave 3



J E Borthwick
Environment Judge

Issued: 26 January 2021